



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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(603) 271-3503 FAX (603) 271-5171



July 31, 2003

LETTER OF DEFICIENCY #WSEB 03-192
CERTIFIED MAIL 7000 0600 0023 9933 2888

Dwight Barton
Fox Hill Estates
206 Fair Street
Laconia, NH 03246

Subject: Belmont - Public Water System: Fox Hill Estates (EPA #0202050)

Dear Mr. Barton:

The records of the Department of Environmental Services (DES) show that the Fox Hill Estates water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

May 2003 and June 2003

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following actions:

By August 14, 2003, submit a water "make up" sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325.

In the future, submit routine water samples for bacteria analysis during the water system's monthly sampling schedule.

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. DES records show that the water system has failed to perform public notification for the June 2002 monitoring violation. Additionally, to date the water system has not submitted proof of public notice for the June 2003 monitoring violation.

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In view of the public notice violations, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

By August 14, 2003 carry out the public notice requirements for the June 2002 and June 2003 sampling violations; and

2. **By August 28, 2003**, provide proof of public notice to DES.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Alan Leach by phone at (603) 271-2854 or by e-mail at aleach@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

COPY

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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Gretchen Rule, DES Legal Unit
Town of Belmont Health Officer
EPA, Region 1